

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *ex rel.*
EDWARD O'DONNELL,

Plaintiff,

– v. –

BANK OF AMERICA CORPORATION,
successor to COUNTRYWIDE FINANCIAL
CORPORATION, COUNTRYWIDE HOME
LOANS, INC., and FULL SPECTRUM
LENDING,

Defendants.

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

– v. –

COUNTRYWIDE HOME LOANS, INC.,
COUNTRYWIDE FINANCIAL
CORPORATION, COUNTRYWIDE BANK,
FSB, BANK OF AMERICA
CORPORATION, BANK OF AMERICA,
N.A., and REBECCA MAIRONE,

Defendants.

Case No. 12-cv-1422 (JSR)

ECF Case

DECLARATION OF CRAIG D. SINGER

I, Craig D. Singer, declare as follows:

1. I am admitted *pro hac vice* to the Bar of this Court and am an attorney at the law firm of Williams & Connolly LLP, counsel for Bank of America, N.A. in the above-captioned action. I submit this declaration in support of the Bank Defendants' Memorandum of Law Regarding Penalties.

Trial Materials

2. Attached as Exhibit 1 is a true and correct copy of excerpts from the trial transcript in this case.

3. Attached as Exhibit 2 is a true and correct copy of trial exhibits DX 31, DX 73, DX 339, DX 1223A, DX 1928, DX 2577A, DX 2852A, DX 2852B, PX 197, PX 229, and PX 232.

Witness Materials

4. Attached as Exhibit 3 is a true and correct copy of the Amended Expert Report of Arnold Barnett, Ph.D., dated September 23, 2013.

5. Attached as Exhibit 4 is a true and correct copy of excerpts from the deposition transcript of Anthony Ho, taken on April 26, 2013 and June 7, 2013.

6. Attached as Exhibit 5 is a true and correct copy of the Corrected Expert Report of Ira H. Holt, Jr., dated August 16, 2013.

7. Attached as Exhibit 6 is a true and correct copy of the initial Expert Report of Robert Glenn Hubbard, dated June 18, 2013.

8. Attached as Exhibit 7 is a true and correct copy of the Updated Expert Report of Robert Glenn Hubbard, dated September 23, 2013.

9. Attached as Exhibit 8 is a true and correct copy of the initial Expert Report of Christopher M. James, dated June 18, 2013.

10. Attached as Exhibit 9 is a true and correct copy of the Updated Expert Report of Christopher M. James, dated September 23, 2013.

11. Attached as Exhibit 10 is a true and correct copy of excerpts from the deposition transcript of Dr. Joseph R. Mason, taken on June 6, 2013.

12. Attached as Exhibit 11 is a true and correct copy of the Second Updated Expert Report of Dr. Joseph R. Mason, dated August 23, 2013.

13. Attached as Exhibit 12 is a true and correct copy of excerpts from the deposition transcript of Dr. Daniel L. McFadden, taken on June 11, 2013.

14. Attached as Exhibit 13 is a true and correct copy of the Updated Report of Jonathan L. Walker, Ph.D., dated September 23, 2013.

Additional Materials

15. Attached as Exhibit 14 is a true and correct copy of Plaintiff's Initial Disclosures, dated November 6, 2012.

16. Attached as Exhibit 15 is a true and correct copy of Plaintiff's Responses to Defendants' First Set of Interrogatories, dated December 3, 2012.

17. Attached as Exhibit 16 is a true and correct copy of a Letter from Michael Thomas to Government Counsel, USA 00302116, dated January 9, 2013.

18. Attached as Exhibit 17 is a true and correct copy of Plaintiff's Supplemental Responses to Defendants' First Set of Interrogatories, dated January 18, 2013.

19. Attached as Exhibit 18 is a true and correct copy of Plaintiff United States of America's First Amended Initial Disclosures, dated April 26, 2013.

20. Attached as Exhibit 19 is a true and correct copy of an email from L. Collogan to Government Counsel, attaching Exhibit A to the Bank Defendants' Responses and Objections to Plaintiff's Requests for Admission, dated June 29, 2013.

21. Attached as Exhibit 20 is a true and correct copy of excerpts from the summary judgment hearing transcript, dated August 13, 2013.

22. Attached as Exhibit 21 is a true and correct copy of a letter from J. Nawaday to the Court, dated August 22, 2013.

23. Attached as Exhibit 22 is a true and correct copy of an email from C. Singer to Government Counsel, dated October 28, 2013.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: Washington, DC
November 20, 2013

s/Craig D. Singer
Craig D. Singer (*pro hac vice*)